

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

SWISS REINSURANCE AMERICA
CORPORATION, A New York corporation,

Plaintiff,

v.

THE PHINEAS CORPORATION,
A Florida corporation,

Defendant.

) Case No. 03-22921 CIV-ALTONAGA
) Magistrate Bandstra
) (Pending in the Southern District of
) Florida)

) Multi-District Business No.

MISC BUSINESS DOCKET
04 MBD 10208

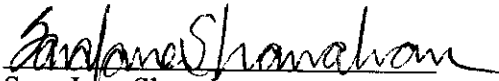
AFFIDAVIT OF SARA JANE SHANAHAN


I, Sara Jane Shanahan, upon oath, depose and say as follows:

1. I am Of Counsel at the law firm of Griesinger, Tighe & Maffei, LLP ("GTM"). Daniel P. Tighe, a partner at GTM, and I represent Liberty Mutual Insurance Company ("Liberty") and Gary R. Gregg ("Mr. Gregg") with regard to third-party subpoenas served on them in the above-captioned matter.
2. Attached hereto as Exhibit A is a true and accurate copy of the subpoena that was served on Liberty by defendant The Phineas Corporation ("Phineas").
3. Attached hereto as Exhibit B is a true and accurate copy of the subpoena that was purportedly served on Mr. Gregg by Phineas.
4. Attached hereto as Exhibit C is a true and accurate copy of the letter of objections that Mr. Tighe served on behalf of Liberty and Mr. Gregg.
5. Attached hereto as Exhibit D is a true and accurate copy of a letter that Mr. Tighe sent to counsel for Phineas in an attempt to reach a compromise with regard to Liberty and Mr. Gregg's objections and responses to the subpoenas.

6. On Friday, July 16, 2004, Mr. Tighe conferred in good faith with counsel for Phineas in an attempt to reach agreement regarding Liberty and Mr. Gregg's objections and responses to the subpoenas. Because Phineas insisted that Mr. Gregg appear for deposition, despite Mr. Tighe's representation that he would produce an affidavit from Mr. Gregg averring that he was not involved with the Phineas workers' compensation policy or the security arrangements related thereto, no compromise was reached.

Signed under the pains and penalties of perjury this 22nd day of July, 2004.


Sara Jane Shanahan

I hereby certify that a true copy
of the above document was
served upon the attorney of
record for each other party
by mail/facsimile on 7/22/04 
(Attachments via mail only) ^{overnight}